

**UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF NEW YORK**

In re ~~Sean M. Flanigan~~

Case No.

Chapter ~~23~~

/ Debtors

Attorney for Debtor: ~~Robert D. Gubel~~

CHAPTER 13 PLAN

1. FUNDING OF PLAN

The debtor shall commit the following future earnings, property, or other income to the custody and control of the standing trustee to fund the chapter 13 plan:

Debtor's Net Monthly Income:

Debtor's Monthly Take Home: \$	\$	2,501.70
Less Expenses:	\$	1,944.00
SURPLUS:	\$	557.70

Plan Payment:

The debtor(s) to pay: \$ ~~127.79 weekly~~ for ~~260 Weeks~~
Total Payments: \$ ~~33,225.40~~

2. DURATION

It is proposed that payments shall be made over a period of ~~60~~ months.

3. PAYMENTS TO THE TRUSTEE SHALL BE MADE FROM

- ☐ Direct Payments from Debtor(s)
☒ Debtor's Employer

Name of Employer: ~~AVI Food Systems~~

Address: ~~2590 Elm Rd. NE
Warren OH 44483~~

From the payments so received, the trustee shall make disbursements as follows:

4. ADMINISTRATIVE COSTS

Trustee's Compensation: ~~10.00~~ %

Attorney's Fee

Prepaid Portion	\$	300.00
Pay Through Plan	\$	900.00
Total Attorney Fee	\$	1,200.00

5. PAYMENTS TO PRIORITY CLAIMS

The debtor shall make full payment in deferred cash payments of all claims entitled to priority under 11 U.S.C. 507, as follows:

None

6. PAYMENTS TO SECURED CLAIMS

Holders of allowed secured claims shall retain the liens securing such claims and shall be paid as shown. Payments towards deficiencies on undersecured claims are listed with the Unsecured Claims. Payments towards arrearages on fully secured claims are listed under Arrearages.

<u>CREDITOR</u>	<u>AMOUNT CLAIMED</u>	<u>INTEREST RATE</u>	<u>VALUE OF COLLATERAL</u>
Nuvell Credit Corp.	\$ 7,937.73	8.00 %	\$ 8,400.00
Village of Kenmore Tax Dept.	\$ 1,163.13	8.00 %	\$ 72,000.00

7. ARREARAGES ON SECURED CLAIMS

<u>CREDITOR</u>	<u>ARREARAGE</u>	<u>INTEREST RATE</u>
Wells Fargo Bank Minnesota	\$ 14,500.00	8.00 %

8. PROPERTIES TO BE SURRENDERED

The debtor shall surrender the collateral securing the claims of the following creditors in satisfaction of the secured portion of such creditors' allowed claims. To the extent that the collateral does not satisfy such a creditor's claim, the creditor shall hold a nonpriority, unsecured claim.

None

9. LIEN AVOIDANCE

The following liens shall be avoided pursuant to 11 U.S.C. 522(f), or other applicable sections of the Bankruptcy Code:

~~None~~

10. PAYMENTS TO GENERAL UNSECURED CLAIMS

General unsecured claims shall be paid pro rata at ~~5.00~~ % of their claims, after all other claims are paid. Unsecured claims shall receive not less than the amount that would be paid on each claim if the estate were liquidated under Chapter 7.

11. EXECUTORY CONTRACTS

The following executory contracts of the debtor are accepted:

~~None~~

The following executory contracts of the debtor are rejected:

~~None~~

12. DIRECT MORTGAGE PAYMENTS

The debtor shall make regular mortgage payments directly to the following creditors:

<u>CREDITOR</u>	<u>MONTHS</u>	<u>MONTHLY PAYMENT</u>	<u>TOTAL PAYMENT</u>
Wells Fargo Bank Minnesota	199	\$ 696.00	\$ 68,904.00

13. OTHER PROVISIONS

14. REVESTMENT

Upon confirmation of the Plan, all property of the estate shall vest in the debtor pursuant to 11 U.S.C. 350 (or possibly 11 U.S.C. 1327(b)). The debtor shall remain in possession of all property of the estate during the pendency of this case unless specifically provided herein (11 U.S.C. 1306(b)). All secured creditors shall retain the liens securing their claims unless otherwise stated.

DATED:

/s/ Sean M. Flanigan
DEBTOR: ~~Sean M. Flanigan~~
~~141 Kinsey Ave.~~
~~Kenmore NY 14217~~

NAME OF LAW FIRM: *Law Offices of Peter D. Grubea*

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